

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.  
1 Valuation of Security      0 Assumption of Executory Contract or Unexpired Lease      1 Lien Avoidance

Last revised: September 1, 2018

UNITED STATES BANKRUPTCY COURT  
District of New Jersey

In Re: Carl Hendrix Perry, Jr.  
Belkis Vargas

Debtor(s)

Case No.:  
Judge:

2:15-bk-30452JKS  
Hon. John K. Sherwood

CHAPTER 13 PLAN AND MOTIONS

Original  
 Motions Included

Modified/Notice Required  
 Modified/No Notice Required

Date: Nov. 8, 2018

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. *Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.*

THIS PLAN:

DOES  DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES  DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES  DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney RIL

Initial Debtor: CHP

Initial Co-Debtor

B V Belkay,

#### Part 1: Payment and Length of Plan

a. The debtor has paid to date 33,477 and shall pay 580 monthly to the Chapter 13 Trustee, starting on November 1, 2018 for an additional 10 months. Last payment shall be September 1, 2019.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future Earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d.  The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e.  Other information that may be important relating to the payment and length of plan:  
Plan can now complete in less than 60 months.

#### Part 2: Adequate Protection

NONE

a. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_ (creditor).

#### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Law Office of Ronald I. LeVine	Admin. expenses for pending second fee app.	1,968

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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#### Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence:  NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing	229 Summer Street, Passaic NJ	Orig. bal. 32,349.04, and bal. now is 3,344.88	0	32,394.04	1,448.94

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:   
NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506:  NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments  NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES  
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
MERS Nominee for Ark Mortgage, Inc and Specialized Loan Serving, LLC 2nd mtge. M8337 P.233	229 Summer Street, Passaic NJ	45,640.25	170,000.00	Specialized Loan Servicing, LLC - 210,810.88	No value	N/A	0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender  NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C. 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan  NONE**

The following secured claims are unaffected by the Plan:

Creditor

**g. Secured Claims to be Paid in Full Through the Plan  NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan

**Part 5: Unsecured Claims  NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$\_\_\_\_ to be distributed *pro rata*

Not less than \_\_\_\_ percent

Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases  NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected.

except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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#### Part 7: Motions **NONE**

**NOTE:** All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service*, *Notice of Chapter 13 Plan Transmittal* and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

##### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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##### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

**NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
MERS Nominee for Ark Mortgage, Inc and Specialized Loan Serving, LLC 2nd mtge. M8337 P.233	229 Summer Street, Passaic NJ	45,640.25	170,000.00	Specialized Loan Servicing, LLC - 210,810.88	0	45,640.25

##### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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#### Part 8: Other Plan Provisions

##### a. Vesting of Property of the Estate

- Upon Confirmation
- Upon Discharge

##### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) General Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee  is,  is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification  NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: October 29, 2015

Explain below why the plan is being modified:	Explain below how the plan is being modified:
To be consistent with the 36 month disposable income requirement and shorten 60 month length of Plan.	Term shortened from 60 months to 44 months. See 1(a)

Are Schedules I and J being filed simultaneously with this Modified Plan?  Yes  No

**Part 10 : Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 11/8/18  
November 8, 2018

  
Carl Hendrix Perry, Jr.  
Debtor

Date: 11/8/18  
November 8, 2018

  
Belkis Vargas  
Joint Debtor

Date

November 8, 2018



Ronald I. LeVine  
Attorney for the Debtor(s)

In re:  
Carl Hendrix Perry, Jr.  
Belkis Vargas  
Debtors

Case No. 15-30452-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 1 of 2  
Total Noticed: 24

Date Rcvd: Nov 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 21, 2018.

db/jdb +Carl Hendrix Perry, Jr., Belkis Vargas, 229 Summer Street, Passaic, NJ 07055-3203  
cr Deutsche Bank National Trust Company, as Trustee f, Specialized Loan Servicing, LLC, PO B,  
Littleton, CO 80163  
516021182 American InfoSource LP as agent for, DIRECTV, LLC, PO Box 51178,  
Los Angeles, CA 90051-5478  
515824064 +Deutsche Bank National, Attn: Pluese Becker And Saltzman LLC, 20000 Horizon Way, Suite 900,  
Mt. Laurel, NJ 08054-4318  
516026775 +Deutsche Bank National Trust Co.,Trustee (See 410), c/o Specialized Loan Servicing LLC,  
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
516023538 +Deutsche Bnk National Trust CompanyTrustee(See 410, c/o Specialized Loan Servicing LLC,  
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
515824066 +First Premier Bank, 3820 N. Louise Avenue, Sioux Falls, SD 57107-0145  
515824067 +MERS Nominee for Ark Mortgage, Inc, Specialized Servicing, LLC, POB 636007,  
Littleton, CO 80163-6007  
515824069 +Specialized Loan Servicing, LLC, POB 636007, Littleton, CO 80163-6007  
515824071 +Wells Fargo Dealer Services, POB 1697, Winterville, NC 28590-1697  
515862137 Wells Fargo Dealer Services, PO Box 17900, Denver, CO 80217-0900

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 20 2018 01:14:01 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 20 2018 01:13:57 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
515824062 +E-mail/PDF: creditonebknotifications@resurgent.com Nov 20 2018 01:19:25 Credit One Bank,  
POB 98873, Las Vegas, NV 89193-8873  
515824063 +E-mail/PDF: pa\_dc\_ed@navient.com Nov 20 2018 01:19:25 Dept Of Ed/Navient, POB 9635,  
Wilkes Barre, PA 18773-9635  
515824065 +E-mail/Text: bankruptcynotices@dcicollect.com Nov 20 2018 01:14:34 Diversified Consultants,  
Attn: Direct TV, 10550 Deerwood Park Blvd 309, Jacksonville, FL 32256-2805  
515940307 E-mail/PDF: resurgentbknotifications@resurgent.com Nov 20 2018 01:19:03 LVNV Funding LLC,  
c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
515960210 +E-mail/Text: bankruptcydpt@mcmcg.com Nov 20 2018 01:13:57  
Midland Credit Management, Inc. as agent for, MIDLAND FUNDING LLC, PO Box 2011,  
Warren, MI 48090-2011  
516015341 E-mail/PDF: pa\_dc\_claims@navient.com Nov 20 2018 01:19:25 Navient Solutions Inc.,  
Department of Education Loan Services, P.O. Box 9635, Wilkes-Barre, PA 18773-9635  
515824068 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 20 2018 01:30:29  
Portfolio Recovery Associates, LLC, Attn: World Financial Capital Bank, PO Box 12914,  
Norfolk, VA 23541-1223  
516042811 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 20 2018 01:19:23  
Portfolio Recovery Associates, LLC, c/o Home Shopping Network, POB 41067,  
Norfolk VA 23541  
515996877 +E-mail/Text: JCAP\_BNC\_Notices@jcicap.com Nov 20 2018 01:14:13 Premier Bankcard, Llc,  
c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999  
515824070 +E-mail/PDF: gecsedri@recoverycorp.com Nov 20 2018 01:19:14 SYNCB/Gap, POB 965005,  
Orlando, FL 32896-5005  
515824072 +E-mail/Text: bankruptcynotice@westlakefinancial.com Nov 20 2018 01:13:58  
Westlake Financial Services, 4751 Wilshire Blvd., Los Angeles, CA 90010-3847  
TOTAL: 13

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516201026\* +Deutsche Bank National Trust Co, Trustee (See 410), c/o Specialized Loan Servicing, LLC,  
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
517677062\* +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC,  
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
TOTALS: 0, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 24

Date Rcvd: Nov 19, 2018

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 21, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2018 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2007-FLX1, Mortgage Pass-Through Certificates, Series 2007-FLX1  
bnicholas@kmllawgroup.com, bkgroup@kmllawgroup.com  
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2007-FLX1, Mortgage Pass-Through Certificates, Series 2007-FLX1 by its Servicing Agent Specialized Loan Servicing dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2007-FLX1, Mortgage Pass-Through Certificates, Series 2007-FLX1 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
Lynn Therese Nolan on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2007-FLX1, Mortgage Pass-Through Certificates, Series 2007-FLX1 by its Servicing Agent Specialized Loan Servicing ecfnotices@grosspolowy.com, jbommelje@grosspolowy.com  
Marie-Ann Greenberg magecf@magrue trustee.com  
Michael E. Blaine on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for IndyMac INDX Mortgage Loan Trust 2007-FLX1, Mortgage Pass-Through Certificates, Series 2007-FLX1 by its Servicing Agent Specialized Loan Servicing tshariff@schillerknapp.com; kcollins@schillerknapp.com; ahight@schillerknapp.com; btate@schillerknapp.com  
Robert Wachtel on behalf of Joint Debtor Belkis Vargas rwachtel@ronlevinlaw.com, irr72645@notify.bestcase.com  
Robert Wachtel on behalf of Debtor Carl Hendrix Perry, Jr. rwachtel@ronlevinlaw.com, irr72645@notify.bestcase.com  
Ronald I. LeVine on behalf of Debtor Carl Hendrix Perry, Jr. ronlevinlawfirm@gmail.com, irr72645@notify.bestcase.com  
Ronald I. LeVine on behalf of Joint Debtor Belkis Vargas ronlevinlawfirm@gmail.com, irr72645@notify.bestcase.com

TOTAL: 10